

TOWN OF WESTON, CONNECTICUT
ZONING BOARD OF APPEALS HEARING
January 24, 2013

MINUTES

Present: Board Members: Chairman MacLeod Snaith, Vice-Chairman Richard Wolf, Nick Noyes, Robert Gardner, Jeff Tallman and Alternates: John Moran and Marilyn Parker

Mr. Snaith opened the public hearing at 7:35 p.m. The Board Secretary read the agenda into the record.

ELECTION OF OFFICERS

Mr. Wolf made a motion to nominate Mr. Snaith to continue as Chairman and Mr. Tallman seconded. All in favor, the motion carried (7-0).

Mr. Tallman made a motion to nominate Mr. Wolf to continue as Vice-Chairman and Mr. Gardner seconded. All in favor, the motion carried (7-0).

349 GOODHILL ROAD, owner, HARVEY H. & BARBARA GROVES, Map 20, Block 2, Lot 47, Variance to Sections 321.6 and 374 to replace an existing nonconforming house on a nonconforming lot with a new house that would be located 43.1 feet from the front property line. Barbara Groves, owner, came forward to present the application. She explained that they have a non-conforming lot and they are building a new modular home and would like to place it on the property so that it is parallel with the existing detached garage. In order to do that, a small corner of the house would be less than 7 feet out of compliance. Mrs. Groves also noted that the existing residence is closer to the road than the new proposed house. She also brought attention to the road that bisects her property and the steep slopes and wetlands in the rear of the property.

Mr. Snaith stated that when he initially looked at the plan, he thought that they could avoid encroachment, but after visiting the site he noticed that it really can't go anywhere else. Mr. Noyes commented that this is a 1.5 acre parcel with the road cutting through and with roughly half of the property consisting of wetlands, there is not much space to build. He further commented that the house is presently 34 feet from the property line and the proposed will be 43 feet which is a serious reduction in encroachment. Mr. Wolf commented that he thinks this is a reasonable request and it would be more in conformity than the existing structure. It is a modest proposed structure and appropriate for the lot. Ms. Parker commented that she thinks this is a reasonable request and brings the owners closer to conformity.

Philip & Debra Grabfield, 361 Goodhill Road,

Philip Grabfield came forward and questioned whether it was possible to take the garage into consideration as it is in bad shape and should be replaced. Mr. Snaith explained that the garage is in compliance and within the building area. The shed is out of the setbacks but it will be removed.

Mrs. Groves stated that they are hoping to renovate the garage when they sell their property on Cape Cod.

Hearing no further discussion, the public hearing was closed at 7:58 p.m.

7 LAUREL RIDGE LANE, owner, ARTUR DOMKA, Map 10, Block 2, Lot 8, Variance to Sections 321.5, 321.6 and 374 to allow for a house to be constructed on an existing nonconforming lot. The new house would be located 10.5 feet from the front property line and 4.4 feet from the side property line, with a majority of the structure located less than 50 feet from the front property line.

Mr. Domka came forward and stated that they would like to build a 3 bedroom house instead of the previously approved 2 bedroom house. Mr. Snaith noted that the increase in width pushes the two side lot lines which he finds troubling, since the rear of the house is so close to the building area. He suggested that there are alternative layouts available. He also noted that the Board granted a fairly generous approval the last time and doesn't want to see further encroachment, especially in the side setbacks. Discussion ensued.

Mr. Wolf explained that the site has limits of where the house can be built. It was set up as a small cabin in the woods when it was built. Mr. Snaith then asked for a sense of the Board and suggested that Mr. Domka return at next month's meeting with a revised plan for a connection to an expansion in the buildable area. He further stated that he does not want to increase the encroachment on the side setbacks but would be willing to look at something that connects to the buildable area which would be fairly minimal. Mr. Moran agreed that made sense.

The matter was continued to next month's meeting.

Deliberations:

GROVES, 348 GOODHILL ROAD

Voting Members: Snaith, Noyes, Wolf, Tallman, Gardner

Mr. Gardner commented that this was a reasonable request for a modest house and is only over the setback by about 6 feet. Mr. Snaith commented that the proposal is tending towards conformity and there are considerable hardships which limit the applicants' ability to be in total conformity. Ms. Parker and Mr. Moran concurred.

MOTION

Mr. Noyes made a motion to approve the application for 349 Goodhill Road for a variance to Sections 321.6 and 374 to replace an existing nonconforming house on a nonconforming lot with a new house that would be located 43.1 feet from the front property line, as shown on plans prepared by Walter Skidd, P.E. dated 8/10/10 and revised 12/28/12 and on Westchester Modular Homes drawings labeled SK3.1 – SK3.5 dated 12/21/12. The variance is granted based on the hardships being the size of the lot at 1.5 acres, bisected by a town road, half of the property is wetlands and the steep slopes to the rear prohibit moving house to a conforming setback. The

proposed house would encroach less than the existing house. Mr. Wolf seconded the motion. All in favor, the motion carried (5-0).

APPROVAL OF MINUTES

Mr. Noyes made a motion to approve the Minutes from the November 27, 2012 meeting, as amended and Mr. Snaith seconded. All in favor, the motion carried (7-0).

MOTION TO ADJOURN

Mr. Snaith made a motion to adjourn the meeting and Mr. Gardner seconded. All in favor, the meeting adjourned at 8:57 p.m.

Respectfully submitted,

Delana Lustberg
Board Secretary